

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2894 – HB 3656

March 8, 2012

SUMMARY OF BILL: Requires the Secretary of State as an “official publisher” to authenticate the Rules and Regulations, Public and Private Acts, and the Tennessee Constitution on the Secretary of State’s website when used as an official record. If an official publisher publishes legal material only in an electronic record, the publisher must designate the electronic record as official and comply with the following requirements: authenticate the record by providing a method for a user to determine that the record is unaltered from the official record published by the publisher; provide for the preservation and security of the record in an electronic form or a form that is not electronic and ensure the integrity of the record, provide for backup and disaster recovery of the record, and ensure the continuing usability of the material; and ensure that the material is reasonably available for use by the public on a permanent basis. In addition, if an official publisher publishes legal material both in an electronic record and in a record other than an electronic record, then the publisher may designate the electronic record as official if the publisher complies with the requirements set out above. Legal material in an electronic record authenticated is presumed to be an accurate copy of the legal material. A party testing such material’s authenticity has the burden of proving by a preponderance of the evidence that the record is not authentic.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$187,100/One-Time
\$103,300/Recurring**

Assumptions:

- The Secretary of State indicates two production CPU’s and one server will be required to accommodate the additional workload. The estimated one-time increase in state expenditures for two-CPU production server licenses and one development server license will be \$178,100.
- In addition, there will be a one-time increase in expenditures of \$9,000 for training and documentation for new software.
- The one-time increase in state expenditures will be \$187,100 (\$178,100 + \$9,000).
- According to the Secretary of State, one position will be required to accommodate the additional workload. Salary and benefits for the position will be \$53,200 annually.
- There will be a recurring increase in state expenditures of \$44,620 for MPKI, LiveCycle maintenance, HSM maintenance, and \$5,520 for the OIR server cost.
- The recurring increase in state expenditures will be \$103,340 (\$53,200 + 44,620 + 5,520).

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/rct